

UNITED STATES COPYRIGHT ROYALTY JUDGES

In the Matter of)

Determination of Rates and Terms for)
Business Establishment Services)
_____)

Docket No. 2012-1 CRB
Business Establishments II

ORDER ANNOUNCING NEGOTIATION PERIOD

On January 3, 2012, the Copyright Royalty Judges published a notice in the **Federal Register** announcing the commencement of a proceeding to determine the reasonable rates and terms for the making of an ephemeral recording of a sound recording for a later transmission by entities that transmit performances of a sound recording to business establishments under 17 U.S.C. § 112(e)(1) for the license period 2014-2018. 77 FR 133. That notice also required interested parties to submit their petitions to participate in the proceeding. The Judges received petitions to participate from Music Choice; DMX, Inc.; Muzak LLC; Music Reports, Inc.; Clear Channel Broadcasting, Inc.; SoundExchange, Inc., and Pandora Media, Inc. ("Pandora").¹ The Judges accept each of these petitions.

Negotiation Period

Pursuant to 17 U.S.C. § 803(b)(3), the Judges are announcing the voluntary negotiation period. All parties whose petitions to participate have been accepted are permitted and encouraged to participate in negotiations during the prescribed three-month period in an effort to produce settled rates and terms for the Judges to consider. At the conclusion of the negotiation period, the parties are required to submit written notification to the Judges of the status of their negotiations. Parties may submit their written notification jointly or separately.

If no agreements are reached, the Judges will schedule further proceedings, including the deadline for filing written direct statements, in a separate order.

¹ The Judges are accepting Pandora's petition despite the lack of care in its preparation.

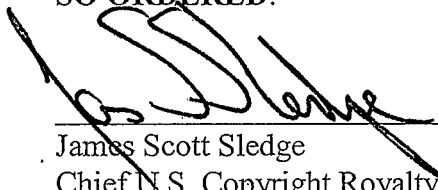
Whereas, **IT IS ORDERED**, that the following is the schedule for the voluntary negotiation period:

Voluntary negotiation period begins: April 2, 2012

Voluntary negotiation period ends: June 29, 2012

Written notification of status of negotiations: July 2, 2012

SO ORDERED.



James Scott Sledge
Chief U.S. Copyright Royalty Judge

Dated: March 26, 2012